

cial District of Texas held in Bowie county, and from the county court of Bowie county to the criminal district court of Bowie county created by this act; and confirming the jurisdiction of the district court for the Fifth Judicial District of Texas held in Bowie county, and of the county court of Bowie county, Texas, to the jurisdiction of the criminal district court of Bowie county, Texas, conferred by this act; providing that the district attorney for the Fifth Judicial District of Texas shall represent the pleas of the State in all felony cases of which said court is given jurisdiction, and that the county attorney of Bowie county shall represent the pleas of the State in all misdemeanor cases of which said court is given jurisdiction; providing that the sheriff and the clerk of the district court of Bowie county shall be the sheriff and clerk, respectively, of the court created by this act; under the same rules and regulations as are now, or may hereafter be prescribed by law for the government of such officials; providing for the fees to be received by such officers for such services, and repealing all laws and parts of laws in conflict with this act, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

BEDELL, Chairman.

Committee Room,

Austin, Texas, March 16, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 79, A bill to be entitled "An Act creating and incorporating the Close City Independent School District, in Garza county, Texas, and defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority, authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said school district; providing an election of trustees thereof, and providing for an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at — o'clock — m., presented same to the Governor for his approval.

BEDELL, Chairman.

## EIGHTEENTH DAY.

(Tuesday, March 19, 1918.)

The House met at 9:30 o'clock a. m. pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Atlee.	McCord.
Bass.	McCoy.
Beard.	McDowra.
Beasley.	McMillin.
Beason.	Mathis.
Bedell.	Meador.
Bell.	Mendell.
Bennette.	Metcalfe.
Bertram.	Miller of Austin.
Blackburn.	Miller of Dallas.
Blackmon.	Monday.
Bland.	Moore.
Bledsoe.	Morris.
Brown.	Murphy.
Bryan.	Murrell.
Burton of Rusk.	Neill.
Burton of Tarrant.	Nordhaus.
Butler.	O'Banion.
Carlock.	Parks.
Cope.	Peyton.
Cox of Bee.	Pillow.
Cox of Ellis.	Poage.
Crudgington.	Raiden.
Davis of Dallas.	Reeves.
Davis of Grimes.	Richards.
Davis of Harris.	Robertson.
Davis	Roemer.
of Van Zandt.	Rogers.
De Bogory.	Sackett.
Denton.	Sallas.
Dodd.	Sentell.
Dudley.	Schlesinger.
Estes.	Schlosshan.
Fairchild.	Seawright.
Fly.	Smith of Bastrop.
Ford.	Smith of Hopkins.
Greenwood.	Smith of Scurry.
Haidusek.	Spradley.
Hardey.	Sneed.
Harris.	Stephens.
Henderson.	Stewart.
Hill.	Swope.
Holaday.	Taylor.
Holland.	Templeton.
Hudspeth.	Terrell.
Johnson of Blanco.	Thomas.
Johnson of Ellis.	Thomason
Jones.	of El Paso.
Kempen.	Thomason
Laas.	of Nacogdoches.
Lacey.	Thompson
Lackey.	of Hunt.
Laney.	Thompson
Lange.	of Red River.
Lanier.	Tillotson.
Lindemann.	Tilson.
McComb.	Tinner.

Traylor.  
Upchurch.  
Vaughan.  
Veatch.  
Wahrmund.

Williams  
of Brazoria.  
Williford.  
Wilson.  
Woods.  
Yantis.

Absent.

Bagby.  
Dunnam.  
O'Brien.  
Sholars.

Strayhorn.  
Valentine.  
\* Williams  
of McLennan.

Absent—Excused.

Baker.  
Cadenhead.  
Canales.  
Cates.  
Clark.  
King.  
Lee.

Lowe.  
McFarland.  
Osborne.  
Pope.  
Spencer.  
Walker.  
White.

The Speaker announced a quorum present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leave of absence on account of important business:

Mr. Osborne for today, on motion of Mr. De Bogory.

Mr. Lindemann for last Saturday evening and yesterday, on motion of Mr. Beard.

Mr. Beard for last Saturday evening, on motion of Mr. Lindemann.

Mr. Clark for today, on motion of Mr. Traylor.

The following members were excused indefinitely on account of sickness:

Mr. White for today, on motion of Mr. Holland.

Mr. Lee for today, on motion of Mr. Swope.

#### RECALLING SENATE BILL NO. 22 FROM SENATE.

On motion of Mr. Johnson of Ellis, Senate bill No. 22 was recalled from the Senate for correction.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Dudley, it was ordered that Senate bill No. 92 be not printed.

On motion of Mr. Yantis, it was ordered that House bill No. 166 be not printed.

On motion of Mr. Miller of Dallas, it was ordered that Senate bill No. 46 be not printed.

On motion of Mr. Carlock, it was ordered that House bill No. 50 be not printed.

#### HOUSE BILL NO. 74 ON ENGROSSMENT.

The Speaker laid before the House as unfinished business, on its passage to engrossment,

H. B. No. 74, A bill to be entitled "An Act to amend Article 1521 of the Revised Civil Statutes of 1911 of this State as amended by the act of the Regular Session of the Thirty-third Legislature, approved March 28, 1917, defining the appellate jurisdiction of the Supreme Court, repealing all laws and parts of laws in conflict therewith, stating the time when the same shall go into effect, and declaring an emergency."

With the following amendment by Mr. McDowra pending:

Amend House bill No. 74 by striking out all of subdivisions 4, 5 and 6 of Article 1521.

The bill having been read second time on Saturday, March 16.

Mr. Miller of Dallas moved to postpone further consideration of the bill indefinitely.

(Mr. Moore in the chair.)

Mr. Holland moved the previous question on the motion to postpone indefinitely, the pending amendment and engrossment of the bill and the main question was ordered.

Mr. Miller of Dallas raised a point of order on further consideration of the bill at this time on the ground that the time set apart for the consideration of a special order had arrived.

The Speaker sustained the point of order.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate grants the request of the House for the return of Senate bill No. 22 for correction. Copy of bill transmitted herewith.

Respectfully,

J. B. BENNETT,

Assistant Secretary of the Senate.

#### HOUSE BILL NO. 156 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 156, A bill to be entitled "An Act to amend Chapter 1, Section 119, Revised Statutes of Texas, 1911, by adding thereto Articles 6901a, 6901b, 6901c, 6901d and 6901e; fixing the compensation of county commissioners in counties having a population of 30,000 and over; providing a method of determining the population; providing that if any part of this act be declared void the same shall not affect the remaining portions; validating the acts of any commissioners court in heretofore paying the amount of salary provided by any road law, and declaring an emergency."

The bill was read second time.

Mr. Miller of Dallas offered the following (committee) amendments to the bill:

Amend House bill No. 156 by adding at the end of Section 1 after the word "law" the following:

"Provided that in all counties containing a population of less than 30,000 the county commissioners of the several counties shall receive four dollars (\$4) per day for each day served as commissioner and when acting as ex-officio road supervisors of their precincts they shall receive four dollars (\$4) per day for each day actually served; provided that each commissioner shall in no event receive more than one thousand dollars (\$1000) in any one year for such services."

Amend caption of House bill No. 156 so as to conform with the amendment just adopted.

The (committee) amendments were adopted.

Mr. Miller of Dallas offered the following amendments to the bill:

(1)

Amend House bill No. 156 by inserting the word "each" after the word "shall" and before the word "receive" in section of the bill where the salary of the commissioner is fixed.

(2)

Amend the caption by adding after the words "30,000 and over" the words "and counties under 30,000 population."

The amendments were adopted.

(Speaker in the chair.)

Mr. Tillotson offered the following amendment to the bill:

Strike out everything after the enacting clause and insert the following:

Section 1. That Title 58, Chapter 3, Article 3870 (2466), (2402) of the Re-

vised Civil Statutes of 1911 be amended herefore and read as follows:

Article 3870. Each county commissioner and the county judge when acting as such, shall receive from the treasurer, to be paid on the order of the commissioners court, the sum of not over \$7.50 a day for each day he is engaged in holding a term of the commissioners court, but such commissioners shall receive no pay for holding more than one special term of the court per month. Provided that county commissioners may perform other special duties within their constitutional authority as may be provided by law, and shall be entitled to receive compensation therefor as the law may determine; provided, however, that the total compensation that may be received by any commissioner for services rendered as commissioner, or for special services imposed by law, including the services that may be performed in the capacity of road supervisors, shall not exceed the following amounts per year:

In counties having a population in excess of 100,000 the compensation in lieu of all other fees and per diem now allowed by law shall be not more than \$2400.

In counties having a population of less than 100,000 the compensation shall not exceed the following amounts per year:

Less than 100,000 and over 75,000.	\$2000
Less than 75,000 and over 50,000.	1800
Less than 50,000 and over 40,000.	1500
Less than 40,000 and over 30,000.	1200
Less than 30,000 and over 20,000.	900
Less than 20,000 and over 15,000.	750
Less than 15,000 and over 10,000.	600
Less than 10,000 and over 5,000.	400
And in counties having less than 5000 population not exceeding..	250

The last census shall be used in determining the population of the counties.

Sec. 2. All laws or parts of laws, general and special, including that part of Article 6901, Revised Civil Statutes as amended by the General Laws of the Thirty-third Legislature, providing for per diem compensation of county commissioners acting in the capacity of supervisors, and including those parts of all special road laws in conflict herewith, are hereby repealed.

Sec. 3. Nothing herein contained shall be construed as authorizing an increase in the compensation of any county commissioner for special services in excess of the compensation now provided for such commissioners; provided, however, that the compensation fixed for commissioners by any special road law, shall continue

to be the compensation for the commissioners of any such county, for special road services, but the total amount received by the commissioners of any county shall not exceed the limitations specified in Section 1 hereof.

Sec. 4. Compensation of county commissioners as authorized by this act shall be paid in monthly installments as county officials are now paid.

Sec. 5. It is hereby provided that where any commissioners court operating under any road law heretofore passed by the Legislature has paid to any member of the county commissioners court as salary or compensation the amount or amounts prescribed in such road law, the act of such commissioners court in so paying any such salary or compensation is hereby validated and in all things approved.

Sec. 6. If any part of this act be declared unconstitutional by the courts of this State, then it is provided that any other section of this act shall not be in any wise affected thereby, and it is declared that the Legislature would have passed this act in so far as the other sections are concerned irrespective of any section that may be declared unconstitutional.

Sec. 7. The importance of this legislation and the fact that this is a special session of the Legislature, which will soon close, constitutes an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended and this bill be placed upon third reading and final passage and that it shall take effect from and after passage, and it is so enacted.

Mr. Holland moved the previous question on the amendment, and the main question was ordered.

Question recurring on the amendment by Mr. Tillotson, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—27.

Atlee.	Murrell.
Beard.	Poage.
Beasley.	Raiden.
Bland.	Sackett.
Cox of Bee.	Seawright.
Cox of Ellis.	Smith of Bastrop.
Fly.	Smith of Hopkins.
Hardey.	Stephens.
Laas.	Stewart.
Lanier.	Taylor.
McCoy.	Thompson
McDowra.	of Hunt.

Tillotson.  
Tilson.

Veatch.  
Yantis.

Nays—81.

Bass.	Meador.
Beason.	Mendell.
Bedell.	Metcalfe.
Bell.	Miller of Dallas.
Bennette.	Monday.
Bertram.	Moore.
Blackburn.	Morris.
Blackmon.	Murphy.
Bledsoe.	Neill.
Brown.	Nordhaus.
Bryan.	O'Banion.
Burton of Rusk.	Parks.
Burton of Tarrant.	Pillow.
Carlock.	Pope.
Cope.	Reeves.
Davis of Dallas.	Richards.
Davis of Harris.	Robertson.
De Bogory.	Roemer.
Denton.	Rogers.
Dodd.	Sallas.
Dudley.	Sentell.
Estes.	Schlesinger.
Ford.	Smith of Scurry.
Greenwood.	Spradley.
Haidusek.	Sneed.
Harris.	Swope.
Henderson.	Terrell.
Hill.	Thomason
Holaday.	of El Paso.
Holland.	Thomason
Hudspeth.	of Nacogdoches.
Johnson of Blanco.	Thompson
Johnson of Ellis.	of Red River.
Jones.	Tinner.
Kempen.	Traylor.
Lacey.	Upchurch.
Lackey.	Vaughan.
Laney.	Wahrmund.
Lange.	Williams
Lindemann.	of Brazoria.
McComb.	Williford.
McCord.	Wilson.
McMillin.	Woods.
Mathis.	

Present—Not Voting.

Fairchild.

Absent.

Bagby.	O'Brien.
Crudgington.	Sholars.
Davis of Grimes.	Strayhorn.
Davis	Templeton.
of Van Zandt.	Valentine.
Dunnam.	Williams
Miller of Austin.	of McLennan.

Absent—Excused.

Baker.	Canales.
Butler.	Cates.
Cadenhead.	Clark.



King.	Schlosshan.
Lee.	Spencer.
Lowe.	Thomas.
McFarland.	Walker.
Osborne.	White.
Peyton.	

Paired.

Mr. Mathis (present), who would vote "yea," with Mr. Wahrmond (absent), who would vote "nay."

Mr. O'Banion offered the following amendment to the bill:

Amend H. B. No. 156, Section 1, Article 6901a, by striking out the phrase, "shall receive a salary of \$2400 per annum," and substitute therefor the following: "shall each receive a salary of \$2100 per annum," and Article 6901b, by striking out the phrase, "shall receive a salary of \$1800 per annum," and substitute the following: "shall each receive a salary of \$1500 per annum," and Article 6901c, by striking out the phrase, "shall receive a salary of \$1500 per annum," and substitute therefor the following: "shall each receive a salary of \$1200 per annum," and Article 6901d, by striking out the phrase, "shall receive a salary of \$1200 per annum," and substitute the following: "shall each receive a salary of \$900 per annum."

(Mr. Bledsoe in the chair.)

Mr. Nordhaus moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—68.

Atlee.	Henderson.
Beard.	Hill.
Beason.	Holaday.
Bell.	Holland.
Bennette.	Johnson of Blanco.
Bertram.	Johnson of Ellis.
Blackmon.	Jones.
Bland.	Lacey.
Bledsoe.	Laney.
Brown.	Lange.
Bryan.	McMillin.
Burton of Tarrant.	Mathis.
Carlock.	Mendell.
Cox of Bee.	Metcalf.
Cox of Ellis.	Miller of Dallas.
Davis of Grimes.	Monday.
Davis of Harris.	Moore.
De Bogory.	Morris.
Denton.	Murphy.
Dudley.	Nordhaus.
Estes.	Parks.
Fairchild.	Pillow.
Greenwood.	Pope.
Haidusek.	Richards.
Harris.	Robertson.

Roemer.	Thompson
Sallas.	of Red River.
Schlesinger.	Tillotson.
Seawright.	Tinner.
Smith of Bastrop.	Upchurch.
Smith of Scurry.	Veatch.
Spradley.	Williams
Swope.	of Brazoria.
Thomason	Williford.
of El Paso.	Yantis.
Thomason	
of Nacogdoches.	

Nays—42.

Bass.	Meador.
Beasley.	Murrell.
Bedell.	Neill.
Blackburn.	O'Banion.
Burton of Rusk.	Poage.
Cope.	Raiden.
Crudgington.	Reeves.
Davis of Dallas.	Rogers.
Davis	Sackett.
of Van Zandt.	Sentell.
Dodd.	Smith of Hopkins.
Ford.	Sneed.
Hardey.	Stephens.
Kempen.	Stewart.
Laas.	Taylor.
Lackey.	Thompson
Lanier.	of Hunt.
Lindemann.	Tilson.
McComb.	Traylor.
McCord.	Vaughan.
McCoy.	Wilson.
McDowra.	Woods.

Absent.

Bagby.	Strayhorn.
Dunnam.	Templeton.
Fly.	Terrell.
Hudspeth.	Valentine.
Miller of Austin.	Wahrmond.
O'Brien.	Williams
Sholars.	of McLennan.

Absent—Excused.

Baker.	McFarland.
Butler.	Osborne.
Cadenhead.	Peyton.
Canales.	Schlosshan.
Cates.	Spencer.
Clark.	Thomas.
King.	Walker.
Lee.	White.
Lowe.	

Mr. Carlock offered the following amendments to the bill:

(1)

Amend H. B. No. 156, by adding a new section after Section 3, to be known

and designated as "Section 3a," as follows:

"Section 3a. In any suit that may be brought to recover any moneys heretofore paid to county commissioners, in accordance with the terms and provisions of any special act regulating their salary, the reasonable value of their services as such commissioners may be shown in defense of such suit, and no recovery shall be had unless the amount theretofore paid to said commissioners, under said special act, shall be in excess of the reasonable value of their services rendered in said capacity and only to the extent of such excess."

(2)

Amend H. B. No. 156, by adding another new section after Section 3, to be known as "Section 3b," as follows:

"Section 3b. No suit shall be brought to recover from any county commissioner any salary heretofore paid to him under and by virtue of any special act of the Legislature regulating his salary, unless such suit is first authorized by the present county judge of the county in which said commissioner served at the time he received such salary; and, provided further, that no such suit shall be filed in any court unless the same is filed prior to the first day of January, 1919."

(3)

Amend caption of H. B. No. 156, by inserting before the last clause in said caption, to wit, "and declaring an emergency," the following:

"Providing that in any suit brought against county commissioners to recover from them salaries heretofore paid them under any special act, that no recovery shall be had beyond the excess of the amount of such salary over the reasonable value of their services; and further providing that no suit to recover such salaries from county commissioners shall be brought unless first authorized by the county judge of the county where such commissioners served; and further providing that no suit shall be brought for the recovery of such salaries from said county commissioners unless filed prior to January 1, 1919."

Mr. Miller of Dallas moved the previous question on the amendments and engrossment of the bill, and the main question was ordered.

Question first recurring on the amendments, they were severally adopted.

Question then recurring on the en-

grossment of the bill, yeas and nays were demanded.

House bill No. 156 was passed to engrossment by the following vote:

Yeas—92.

Atlee.	McMillin.
Bass.	Mathis.
Beard.	Meador.
Beason.	Mendell.
Bell.	Metcalfe.
Bennette.	Miller of Dallas.
Bertram.	Monday.
Blackmon.	Moore.
Bland.	Morris.
Bledsoe.	Murphy.
Brown.	Neill.
Bryan.	Nordhaus.
Burton of Tarrant.	Parks.
Carlock.	Poage.
Cope.	Pope.
Cox of Bee.	Raiden.
Cox of Ellis.	Richards.
Crudgington.	Robertson.
Davis of Dallas.	Roemer.
Davis of Grimes.	Rogers.
Davis of Harris.	Sackett.
Davis	Sallas.
of Van Zandt.	Schlesinger.
De Bogory.	Seawright.
Denton.	Smith of Bastrop.
Dodd.	Smith of Hopkins.
Dudley.	Spradley.
Estes.	Sneed.
Fairchild.	Swope.
Ford.	Taylor.
Greenwood.	Templeton.
Haidusek.	Terrell.
Hardey.	Thomason
Harris.	of El Paso.
Henderson.	Thomason
Holaday.	of Nacogdoches.
Holland.	Thompson
Johnson of Blanco.	of Hunt.
Johnson of Ellis.	Thompson
Jones.	of Red River.
Kempen.	Tillotson.
Laas.	Tinner.
Lacey.	Traylor.
Lackey.	Upchurch.
Laney.	Williams
Lange.	of Brazoria.
Lindemann.	Williford.
McComb.	Wilson.
McCoy.	Yantis.

Nays—17.

Beasley.	Sentell.
Bedell.	Smith of Scurry.
Blackburn.	Stephens.
Burton of Rusk.	Stewart.
McCord.	Tilson.
McDowra.	Vaughan.
Murrell.	Veatch.
O'Banion.	Woods.
Reeves.	

## Present—Not Voting.

Lanier.

## Absent.

Bagby.	Pillow.
Dunnam.	Sholars.
Fly.	Strayhorn.
Hill.	Valentine.
Hudspeth.	Wahrmund.
Miller of Austin.	Williams
O'Brien.	of McLennan.

## Absent—Excused.

Baker.	McFarland.
Butler.	Osborne.
Cadenhead.	Peyton.
Canales.	Schlosshan.
Cates.	Spencer.
Clark.	Thomas.
King.	Walker.
Lee.	White.
Lowe.	

## Reasons for Vote.

I vote "nay" on the engrossment of this bill for the reason that I am opposed to the raising of the salaries of the county commissioners, and according to my opinion and belief that is the purpose of this bill as now framed.

## O'BANION.

I vote "yea" because I regard the bill as the best one allowed to be considered by the Speaker, but as I had prepared a substitute bill and had secured the recognition of the Acting Speaker, Mr. Moore, and was subsequently refused recognition by Speaker Fuller to offer my substitute, I feel that I was not shown proper courtesy. Notwithstanding this fact, and while believing my substitute better than the original bill, but realizing the necessity for legislation of some sort on this subject, I accept this one as the best that could be obtained under the House procedure.

## DENTON.

## HOUSE BILL NO. 156 ON THIRD READING.

Mr. Nordhaus moved to suspend the constitutional rule requiring bills to be read on three several days in each house and that House bill No. 156 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Atlee.	Beard.
Bass.	Beason.

Bell.	Mathis.
Bennette.	Meador.
Bertram.	Mendell.
Blackburn.	Metcalfe.
Blackmon.	Miller of Dallas.
Bland.	Monday.
Bledsoe.	Moore.
Brown.	Morris.
Bryan.	Murphy.
Burton of Tarrant.	Nordhaus.
Butler.	Parks.
Carlock.	Peyton.
Cope.	Poage.
Cox of Bee.	Pope.
Cox of Ellis.	Raiden.
Crudgington.	Reeves.
Davis of Dallas.	Robertson.
Davis of Grimes.	Roemer.
Davis of Harris.	Rogers.
Davis	Sackett.
of Van Zandt.	Sallas.
De Bogory.	Schlesinger.
Denton.	Seawright.
Dodd.	Smith of Bastrop.
Dudley.	Smith of Hopkins.
Estes.	Smith of Scurry.
Fairchild.	Spradley.
Ford.	Sneed.
Greenwood.	Stewart.
Haidusek.	Swope.
Hardey.	Taylor.
Harris.	Templeton.
Henderson.	Terrell.
Holaday.	Thomason
Holland.	of El Paso.
Johnson of Blanco.	Thomason
Johnson of Ellis.	of Nacogdoches.
Jones.	Thompson
Kempen.	of Hunt.
Laas.	Tillotson.
Lacey.	Tilson.
Lackey.	Tinner.
Laney.	Upchurch.
Lange.	Vaughan.
Lanier.	Veatch.
Lindemann.	Williams
McComb.	of Brazoria.
McCord.	Williford.
McCoy.	Wilson.
McDowra.	Woods.
McMillin.	Yantis.

## Nays—6.

Beasley.	O'Banion.
Murrell.	Sentell.
Neill.	Traylor.

## Present—Not Voting.

Burton of Rusk.	Schlosshan.
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## Absent.

Bagby.	Hill.
Bedell.	Hudspeth.
Dunnam.	Miller of Austin.
Fly.	O'Brien.

Pillow.	Thompson
Richards.	of Red River.
Sholars.	Valentine.
Stephens.	Wahrmund.
Strayhorn.	Williams
	of McLennan.

Absent—Excused.

Baker.	Lowe.
Cadenhead.	McFarland.
Canales.	Osborne.
Cates.	Spencer.
Clark.	Thomas.
King.	Walker.
Lee.	White.

(Speaker in the chair.)

The Speaker then laid House bill No. 156 before the House on its third reading and final passage.

The bill was read third time.

Mr. Vaughan offered the following amendments to the bill:

(1)

Amend House bill No. 156, Section 2, line 1, by striking out the word "last" and inserting "1910."

(2)

Amend House bill No. 156 by adding at the end of Section 1 the following: "Provided further that in all counties containing a population of more than 30,000 and less than 50,000 the county commissioners of the several counties shall receive five dollars (\$5) per day for each day served as commissioners and when acting as ex-officio road commissioners of their precincts they shall receive five dollars (\$5) per day for each day actually served; provided, that each commissioner in such counties shall in no event receive more than \$1500 in any one year for such services."

Mr. Nordhaus moved to table the amendments.

Mr. Miller of Dallas moved the previous question on the amendments and final passage of the bill and the main question was ordered.

Question first recurring on the motion to table, it prevailed.

Mr. Tillotson, by unanimous consent, offered the following amendment to the bill:

"Section —, Article 6901f. Nothing contained herein shall authorize compensation in excess of that now received by any county commissioner for general or special services."

Yeas and nays were demanded and

the amendment was lost by the following vote:

Yeas—54.

Atlee.	McCoy.
Beard.	McDowra.
Beasley.	McMillin.
Bedell.	Meador.
Blackburn.	Miller of Austin.
Bland.	Murrell.
Bryan.	O'Banion.
Burton of Rusk.	Poage.
Cope.	Raiden.
Crudgington.	Reeves.
Davis of Dallas.	Sackett.
Davis of Grimes.	Sentell.
Davis	Schlosshan.
of Van Zandt.	Seawright.
De Bogory.	Smith of Bastrop.
Estes.	Smith of Hopkins.
Ford.	Sneed.
Hardey.	Stephens.
Harris.	Stewart.
Holaday.	Taylor.
Kempen.	Templeton.
Laas.	Thomas.
Lacey.	Tillotson.
Lackey.	Tilson.
Lanier.	Tinner.
Lindemann.	Traylor.
McComb.	Vaughan.
McCord.	Veatch.

Nays—60.

Bass.	Monday.
Beason.	Moore.
Bell.	Morris.
Bennette.	Murphy.
Bertram.	Neill.
Blackmon.	Nordhaus.
Bledsoe.	Parks.
Brown.	Peyton.
Burton of Tarrant.	Pope.
Butler.	Richards.
Carlock.	Robertson.
Cox of Bee.	Roemer.
Cox of Ellis.	Rogers.
Davis of Harris.	Sallas.
Denton.	Schlesinger.
Dodd.	Smith of Scurry.
Dudley.	Spradley.
Fairchild.	Swope.
Greenwood.	Terrell.
Haidusek.	Thomason
Henderson.	of El Paso.
Holland.	Thomason
Johnson of Blanco.	of Nacogdoches.
Johnson of Ellis.	Thompson
Jones.	of Hunt.
Laney.	Thompson
Lange.	of Red River.
Mathis.	Upchurch.
Mendell.	Williams
Metcalfe.	of Brazoria.
Miller of Dallas.	Williford.



Wilson.	Yantis.
Woods.	
	Absent.
Bagby.	Sholars.
Dunnam.	Strayhorn.
Fly.	Valentine.
Hill.	Wahrmund.
Hudspeth.	Williams
O'Brien.	of McLennan.
Pillow.	

## Absent—Excused.

Baker.	Lowe.
Cadenhead.	McFarland.
Canales.	Osborne.
Cates.	Spencer.
Clark.	Walker.
King.	White.
Lee.	

Mr. Nordhaus moved a call of the House, pending consideration of House bill No. 156, for the purpose of maintaining a quorum, and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

Question then recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 156 was then passed by the following vote:

## Yeas—95.

Atlee.	Denton.
Bass.	Dodd.
Beard.	Dudley.
Beason.	Dunnam.
Bell.	Estes.
Bennette.	Fairchild.
Bertram.	Fly.
Blackmon.	Ford.
Bland.	Greenwood.
Bledsoe.	Haidusek.
Brown.	Hardey.
Bryan.	Harris.
Burton of Tarrant.	Henderson.
Butler.	Holaday.
Carlock.	Holland.
Cox of Bee.	Johnson of Blanco.
Cox of Ellis.	Johnson of Ellis.
Crudgington.	Jones.
Davis of Dallas.	Laas.
Davis of Grimes.	Lacey.
Davis of Harris.	Lackey.
Davis	Laney.
of Van Zandt.	Lange.
De Bogory.	Lanier.

Lindemann.	Schlesinger.
McComb.	Seawright.
McCoy.	Smith of Bastrop.
McMillin.	Smith of Hopkins.
Mathis.	Spradley.
Meador.	Sneed.
Mendell.	Stewart.
Metcalf.	Swope.
Miller of Austin.	Taylor.
Miller of Dallas.	Templeton.
Monday.	Terrell.
Moore.	Thomason
Morris.	of El Paso.
Murphy.	Thomason
Neill.	of Nacogdoches.
Nordhaus.	Thompson
Parks.	of Hunt.
Poage.	Thompson
Pope.	of Red River.
Raiden.	Tinner.
Reeves.	Traylor.
Richards.	Upchurch.
Robertson.	Williams
Roemer.	of Brazoria.
Rogers.	Williford.
Sackett.	Wilson.
Sallas.	Yantis.

## Nays—18.

Beasley.	O'Banion.
Bedell.	Peyton.
Blackburn.	Sentell.
Burton of Rusk.	Stephens.
Cope.	Thomas.
Kempen.	Tilson.
McCord.	Vaughan.
McDowra.	Veatch.
Murrell.	Woods.

## Present—Not Voting.

Schlosshan.

## Absent.

Bagby.	Strayhorn.
Hill.	Tillotson.
Hudspeth.	Valentine.
O'Brien.	Wahrmund.
Pillow.	Williams
Sholars.	of McLennan.
Smith of Scurry.	

## Absent—Excused.

Baker.	Lowe.
Cadenhead.	McFarland.
Canales.	Osborne.
Cates.	Spencer.
Clark.	Walker.
King.	White.
Lee.	

Mr. Miller of Dallas moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House:

Governor's Office,  
Austin, Texas, March 19, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. C. F. Sentell, I submit for your consideration the following claims which have been presented against the State of Texas:

Account of Hon. W. W. Dodd, district attorney pro tempore, Thirty-sixth Judicial District.

Account of J. A. Brewer for refund of taxes erroneously paid on personal property.

Account of the Texas Company for oil furnished to the Department of Public Buildings and Grounds.

Account of Hon. C. W. Carlisle, sheriff of Liberty county, for fees in the case of the State of Texas vs. Archie Bass.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 19, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Senator W. D. Caldwell and Hon. Howard Bland, I submit for your consideration an act enlarging and establishing the Jarrel Independent School District, Williamson county, Texas.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 19, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: I submit for your consideration the subject of an increased appropriation for the Department of Education.

In connection with this subject I submit copies of the following letters: Hon. W. F. Doughty, State Superintendent, to the Governor; E. L. Steck, printer, to Hon. W. F. Doughty, Superintendent; also an estimate from Von Boeckmann-Jones Co., and one from the

Department of Education, showing the present indebtedness and needs of that department.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Department of Education,

Austin, Texas, March 16, 1918.

Hon. W. P. Hobby, Governor of Texas,  
Austin, Texas.

Dear Sir: Herewith I am submitting statement of the needs of the State Department of Education and am asking that you recommend an emergency appropriation for the following reasons:

1. The State Department of Education has heretofore had to ask the printers to carry a large part of its printing account on their books from three to six months in order to serve the best interest of the schools.

2. The increase in postage rates creates a deficiency of about \$1500 in the department's expenses.

3. The numerous requests made by the Federal government upon the State Department of Education for war service through the public free schools creates an emergency in that additional printing must be done in order to comply fully and promptly to the needs of the government at this time.

4. The Department of Education, through its regular appropriations, has been bearing the necessary expenses of the State Board of Vocational Education authorized by the Thirty-fifth Legislature, First Called Session. The Federal government has designated the various State Boards of Vocational Education to do within the draft age for emergency war training for radio and buzzer operators, mechanics, technicians, and is now recommending that the board train teachers whose duty it shall be to train disabled soldiers and sailors returning from the war in the useful occupations. The State Board of Vocational Education, composed of the Governor of Texas, the Secretary of State, and the Comptroller, is doing its bit as best it can through its executive officer and staff of vocational experts to train men and women in the useful vocations that will help to win the war.

5. With the emergency appropriation granted, the State Department of Education is able to pay its present indebtedness; to settle its accounts when due for the remainder of the fiscal year, and to do the work obligatory upon it

as the State's agency for the administration of the public free schools.

Respectfully submitted,  
(Signed) W. F. DOUGHTY,  
State Superintendent.

Statement of present indebtedness and needs of the State Department of Education:

Present indebtedness to printers.	\$ 3,200
40,000 teachers' registers.....	3,000
Auditor's report, blanks and forms .....	300
High School Affiliation Bulletin.	500
40,000 State Course of Study....	1,000
5000 Summer Normal Bulletin..	100
10,000 Rural School Bulletin....	700
26,500 head teacher's term report	800
300,000 teachers' monthly reports	600
Federal aid blanks, bulletins and forms .....	900
Various other forms.....	200
Stamps .....	1,500
	<u>\$12,800</u>

E. L. Steck.

Austin, Texas, March 13, 1918.

Hon. W. F. Doughty, State Superintendent, City.

Dear Mr. Doughty: We have been watching the Legislature proceedings to see if, perhaps, they were going to administer to your needs, but so far we have failed to see wherein they have done anything for your department. We know that you are looking after this matter, but we thought possibly you were so exceedingly busy it would not be amiss to call this to your attention. We hope you will be able to effect such arrangement as you have in mind, for the sake of a poor bunch of printers, if for no other consideration.

If we can be of any service to you, command us.

Best wishes,

(Signed) E. L. STECK.

Von Boeckmann-Jones Co.

Austin, Texas, March 12, 1918.

Department of Education:

Printing bills in excess of department's appropriation for printing.

February bills allowed by Printing Board and remaining unpaid:

Our Job No. 179—Binding School Laws....	\$184.80
Our Job No. 196—Bulletin 72, Education.	382.05
Our Job No. 214—Bulletin 74, Education.	87.13
Our Job No. 213—Bulletin 75, Education.	71.48
	<u>\$ 725.46</u>

Jobs now in progress

—estimate amounts:

Our Job No. 226—Education Bulletin 76..

\$560.00

Our Job No. 236—Education Bulletin 77..

300.00

860.00

\$1585.46

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted House Concurrent Resolution No. 8, Directing the attention of the United States officials to the Kansas City, Mexico & Orient Railway.

The Senate has passed

S. B. No. 33, A bill to be entitled "An Act to amend Articles 5396 and 5397, Revised Civil Statutes of 1911, relating to the discovery and sale of excess acreage in school surveys and their alternate private surveys, and to include the discovery and sale of excess acreage in patented alternate surveys and in surveys located by virtue of certificates issued for the construction of railroads and other works, whether such did or did not obligate the owner to locate a like amount of land for the State or school fund; and all surveys and blocks of surveys located by virtue of certificates for land issued to individuals which required the location of a like amount for the State or school fund, and in surveys sold under the fifty-cent Act of July 14, 1879, Chapter 52, and the amendment thereto of March 11, 1881, Chapter 33, and to add thereto Article 5397a; and to repeal Articles 5399 and 5400, Revised Civil Statutes, 1911, and declaring an emergency."

S. B. No. 35, A bill to be entitled "An Act to amend Sections 3, 16 and 19 of Chapter 83 of an Act approved March 16, 1917, relating to the development of minerals in public lands by requiring applications to be filed in the General Land Office instead of with the county clerk and providing that permits shall be issued to the one who makes the highest cash offer for the area in addition to the one-eighth royalty, and providing for the employment of a mineral inspector and making an appropriation therefor, and declaring an emergency."

S. B. No. 36, A bill to be entitled "An Act to amend Article 5376, Revised Civil Statutes of 1911, and to repeal Article 5379 of the same statute, both relating to the delivery of patents, and declaring an emergency."

Respectfully submitted,  
J. B. BENNETT,  
Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 89, A bill to be entitled "An Act to amend Article 698 of the Revised Civil Statutes of Texas, 1911, so as to authorize the investment of the sinking funds of counties, cities, towns, school districts or school communities in United States bonds, war saving certificates, certificates of indebtedness in United States government and in State, city or town bonds, and declaring an emergency."

S. B. No. 84, A bill to be entitled "An Act to establish and fix the salary of the Superintendent of Public Buildings and Grounds of the State of Texas, providing for an appropriation to pay said salary, and creating an emergency."

S. B. No. 97, A bill to be entitled "An Act granting permission to A. B. Masterson to bring suit against the State of Texas in the district court of Brazoria county, Texas, for rents claimed to be due the said A. E. Masterson for rents on lands situated in Brazoria county, Texas, which lands were cultivated during the year 1917 by the Board of Prison Commissioners, and declaring an emergency."

Respectfully,  
J. B. BENNETT,  
Assistant Secretary of the Senate.

#### SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read first time and referred to the appropriate committees, as follows:

S. B. No. 84, to Committee on Appropriations.

S. B. No. 89, to Committee on Reforms in Civil Procedure.

S. B. No. 97, to Committee on State Affairs.

#### SPECIAL ORDER SET.

On motion of Mr. Thomas, Senate bill No. 1, providing the manner in which State funds shall be kept and deposited was set as a special order for 2:30 o'clock p. m. today.

#### RECESS.

On motion of Mr. Yantis, the House, at 12:15 o'clock p. m. took recess to 2 o'clock p. m. today

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

#### HOUSE BILL NO. 166 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 166, A bill to be entitled "An Act to amend Chapter 88 of the Special Laws of the Regular Session of the Thirty-fifth Legislature known as the Henderson county road law, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 50 ON SECOND READING.

On motion of Mr. Dudley, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 50, A bill to be entitled "An Act to amend Sections 12 and 16 of Chapter 190, of the Acts of the Regular Session of the Thirty-fifth Legislature, creating a 'State Highway Department,' and which sections relate to the allotment of the highway funds in aid of road construction; and to annual fees for registration of motor vehicles and motorcycles."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### SENATE BILL NO. 45 ON SECOND READING.

On motion of Mr. Fly, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to a third reading,



S. B. No. 45, A bill to be entitled "An Act amending Section 1, Chapter 91 of the General Laws passed by the Thirty-fourth Legislature at its Regular Session requiring applicants for license to practice law under the provisions of said chapter to produce the proof of the existence of the same or similar statute in the State from which the applicant immigrates; validating all license issued by the clerk of the Supreme Court under the provisions of said Chapter 91, passed by the Thirty-fourth Legislature, prior to the passage of this act, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to a third reading.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Murphy, it was ordered that House bill No. 168 be not printed.

On motion of Mr. Roemer, it was ordered that Senate bill No. 61 be not printed.

#### HOUSE BILL NO. 162 ON SECOND READING.

On motion of Mr. Cope, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 162, A bill to be entitled "An Act to validate charters or acts of incorporation adopted by cities since the enactment of Chapter 147, page 307, of the Acts of the Regular Session of the Thirty-third Legislature, said cities, according to the 1910 United States census, having a population of less than five thousand inhabitants, but which had at the time of the adoption of said charter or act of incorporation a population in excess of five thousand; and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 140 ON SECOND READING.

On motion of Mr. Poage, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 140, A bill to be entitled "An Act requiring the heads of the departments located in the Capitol and the State Land Office building in the city of Austin to file with the Superintendent

of Public Buildings and Grounds a complete inventory of all furniture, fixtures, machinery, machines, typewriters and other office utilities, except books and stationery; fixing the time when such inventories must be filed; making the heads of the departments responsible for the property not accounted for and lost by reason of carelessness and negligence of the officer; making it the duty of the Superintendent of Public Buildings and Grounds to check up such inventories and make demand for the restoration or payment of all property not lawfully accounted for; declaring that departmental heads shall neither purchase nor sell any of the personal property enumerated in this act, but when no longer of use shall be delivered to the Superintendent of Public Buildings and Grounds for disposition; making it the duty of the Superintendent of Public Buildings and Grounds to furnish the various departments with all furniture, fixtures, office necessities and utilities heretofore named, except stationery and books; regulating the manner of purchases for such purpose, but declaring that all purchases made prior to August 31, 1919, shall be made as now provided in appropriation bills, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 101 ON THIRD READING.

On motion of Mr. Pillow, by unanimous consent, the regular order of business was suspended to take up and have placed on its third reading and final passage.

H. B. No. 101, A bill to be entitled "An Act to amend Article 7828 of the Revised Statutes of Texas, 1911, providing the Governor shall appoint nine persons as public weighers in every city which receives annually 100,000 bales of cotton."

The Speaker laid the bill before the House, it was read third time and was passed.

#### HOUSE BILL NO. 155 ON THIRD READING.

On motion of Mr. Fly, by unanimous consent, the regular order of business was suspended to take up and have placed on its third reading and final passage.

H. B. No. 155, A bill to be entitled "An Act to amend Section 2 of House bill No. 525, enacted by the Thirty-fifth

Legislature of the Regular Session, creating the Nixon Independent School District and as amended by Section 1, House bill No. 89, Thirty-fifth Legislature, First Called Session, revising metes and bounds of said district, and declaring an emergency."

The Speaker laid the bill before the House, it was read third time and was passed.

#### HOUSE BILL NO. 119 ON THIRD READING.

On motion of Mr. Stewart, by unanimous consent, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 119, A bill to be entitled "An Act to validate the sale of certain public domain made by the State on February 21, 1907, and declaring an emergency."

The Speaker laid the bill before the House, it was read third time and was passed.

#### SENATE BILL NO. 43 ON THIRD READING.

On motion of Mr. Nordhaus, by unanimous consent, the regular order of business was suspended to take up and have placed on its third reading and final passage,

S. B. No. 43, A bill to be entitled "An Act to make appropriation for the maintenance of the State Council of Defense and the payment of the secretary thereof and his assistants, traveling expenses and other necessary expenses to be incurred by the State Council of Defense, including clerk hire, and declaring an emergency."

The Speaker laid the bill before the House, and it was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—98.

Mr. Speaker.	Brown.
Atlee.	Bryan.
Bass.	Burton of Rusk.
Beard.	Burton of Tarrant.
Beasley.	Carlock.
Beason.	Cates.
Bedell.	Cope.
Bell.	Cox of Ellis.
Bennette.	Crudgington.
Bertram.	Davis of Grimes.
Blackmon.	Davis of Harris.
Bland.	Davis
Bledsoe.	of Van Zandt.

27—H

De Bogory.	Nordhaus.
Dodd.	Parks.
Dudley.	Pillow.
Dunnam.	Poage.
Fairchild.	Pope.
Fly.	Reeves.
Greenwood.	Richards.
Haidusek.	Roemer.
Hardey.	Rogers.
Harris.	Sackett.
Henderson.	Sentell.
Hill.	Schlesinger.
Holaday.	Seawright.
Holland.	Smith of Bastrop.
Hudspeth.	Smith of Hopkins.
Johnson of Blanco.	Spradley.
Johnson of Ellis.	Sneed.
Kempen.	Stephens.
Laas.	Stewart.
Lacey.	Swope.
Lackey.	Taylor.
Laney.	Templeton.
Lange.	Thomason
Lanier.	of El Paso.
Lindemann.	Thomason
McComb.	of Nacogdoches.
McCord.	Thompson
McCoy.	of Hunt.
McMillin.	Tillotson.
Mathis.	Tilson.
Meador.	Traylor.
Mendell.	Upchurch.
Metcalfe.	Wahrmund.
Miller of Dallas.	Williams
Moore.	of Brazoria.
Morris.	Williford.
Murphy.	Wilson.
Murrell.	Woods.
Neill.	Yantis.

Nays—9.

Denton.	Terrell.
Ford.	Thompson
McDowra.	of Red River.
Raiden.	Tinner.
Sallas.	Vaughan.

Present—Not Voting.

Davis of Dallas.

Absent.

Bagby.	O'Brien.
Blackburn.	Robertson.
Clark.	Sholars.
Cox of Bee.	Smith of Scurry.
Estes.	Strayhorn.
Jones.	Valentine.
Miller of Austin.	Veatch.
Monday.	Williams
O'Banion.	of McLennan.

Absent—Excused.

Baker.	Cadenhead.
Butler.	Canales.

King.	Schlosshan.
Lee.	Spencer.
Lowe.	Thomas.
McFarland.	Walker.
Osborne.	White.
Peyton.	

#### SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read first time and referred to the appropriate committees, as follows:

S. B. Nos. 33, 35 and 36, to the Committee on Public Lands and Land Office.

#### COMMITTEE EXCUSED.

On motion of Speaker Fuller, Mr. Thomas, Mr. Peyton, Mr. Butler, Mr. Miller of Austin and Mr. Schlosshan, the committee to investigate the Confederate Woman's Home, were excused for this evening, on account of important committee work.

#### SENATE BILL NO. 1 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to a third reading,

S. B. No. 1, A bill to be entitled "An Act to amend Chapter 1 of Title 44 of the Revised Civil Statutes of the State of Texas of 1911, and to provide the manner in which the State funds shall be kept and deposited, to define the State Depository Board and its powers, and what banks may become State depositories, and the manner and means of selecting such State depositories, providing for the distribution of such State funds among such depositories, repealing all laws in conflict, and declaring an emergency."

The bill was read second time.

Mr. Thomas offered the following (committee) amendments to the bill:

(1)

Article 2418. By striking out the words, "having a paid up capital of not less than twenty-five thousand dollars."

(2)

Article 2423. By striking out the words, "not less than double the amount of State funds deposited in said bank," and insert in place thereof the following words, "one-fifth greater than the maximum amount of State funds said bank proposes to keep."

(3)

Article 2424. By inserting after the clause, "under the provisions of this chapter," the words, "for six months."

(4)

Article 2425. By striking out the words, "and in no instance more than fifty thousand dollars."

(5)

Article 2429. By striking out the words, "fifty thousand dollars," and insert in place thereof the following: "the amount of deposit awarded it under the provisions of this act."

(6)

Article 2423. By striking out the words, "or shall execute a bond signed by some surety company authorized to do business in Texas in an amount not less than double the amount of State funds deposited in said bank, said bond to be payable to the State Treasurer and to be in such form as may be provided by the depository board and subject to the approval of said board."

Mr. Bryan called for a division of the amendments.

(Committee) amendments (1) to (5), inclusive, were severally read and adopted.

(Mr. Johnson of Ellis in the chair.)

(Committee) amendment (6) was read and adopted.

Mr. Sentell offered the following amendment to the bill:

Amend Senate bill No. 1 by striking out all below the enacting clause and inserting in lieu thereof the following: Section 1. That Articles 2422 and 2439, as amended, Title 44, Chapter 1, Revised Civil Statutes of 1911, be repealed, and that Articles 2417, 2418, 2419, 2420, 2421, 2423, 2424, 2425, 2426, 2427, 2428, 2431, 2432, 2433, 2436, as amended, Title 44, Chapter 1, Revised Civil Statutes of 1911, be amended to hereafter read as follows:

#### Chapter 1. State Depositories.

Article 2417. The State Treasurer, the Attorney General and the Commissioner of Insurance and Banking are hereby constituted the State Depository Board, and any two of such members shall constitute a quorum. The State Treasurer shall also perform the duties of Secretary of the Board.

Article 2418. It shall be the duty of the State Treasurer, with the approval of the State Depository Board and at the time and in the manner provided in this act, to designate one or more banks or banking institutions in each congressional district in the State of Texas, each of which shall be known as a State depository. Each bank or banking institution must be a national bank or an incorporated company authorized to do business in the State of Texas, and any such bank or banking institution may become a bidder under the provisions of any section of this act, but each such depository shall be established and conducted in accordance with, and subject to, the provisions of this act and in no instance shall there be made to any such bank or banking institution in any one congressional district an award of said funds greater than fifty thousand dollars (\$50,000), except under special provision of law. The award of fifty thousand dollars may be made to one or more banks. Other depositories may be selected in lieu of those not selected from and for congressional districts and provided for herein.

Article 2419. When at any time the State funds are in excess of the amount required to award fifty thousand dollars (\$50,000) to each congressional district it shall be the duty of the depository board to designate a sufficient number of additional depositories for such excess funds. These additional depositories shall be selected without regard to congressional or other districts. The maximum of fifty thousand dollars (\$50,000) for each congressional district shall not apply when awarding funds to such additional depositories. The selection of additional depositories for excess funds shall be in the same manner as the selection of depositories for congressional districts, except that contracts with depositories selected for excess funds may be for one year only in the discretion of the Depository Board.

When withdrawing funds from depositories it shall be the duty of the Treasurer to exhaust all funds from those selected for excess funds before withdrawing from each of the depositories selected as a congressional district depository more than one-tenth of the amount awarded to it.

No award shall be made to any bidder under this section who shall propose to pay less than three per cent per annum on daily balances.

Article 2420. Immediately upon the qualification of each State Treasurer elected at a general election, it shall be his duty to cause to be printed a circular letter soliciting bids for keeping the public funds of the State for a term of two years next after the succeeding March 1st, upon the conditions prescribed in this chapter. Said circular letter shall state the conditions to be complied with by the bidders, as hereinafter provided, and what each bid shall set forth, and shall require such bids to be forwarded to the State Treasurer on or before 12 o'clock noon of the first Monday in February thereafter, and shall require that each bid shall be accompanied by a certified check for the sum of one-tenth of the maximum amount of State funds the bidder proposes to accept, payable to the order of the State Treasurer, which shall become forfeited to the State in case said bid shall be accepted and the bidder shall fail to comply with the requirements as provided by this chapter for the qualification of depositories; otherwise, such check shall be returned to the bidder. The Treasurer shall mail a copy of such circular letter to each of the banks or banking institutions in the State, of the class mentioned, and shall immediately deposit with the Commissioner of Insurance and Banking and Attorney General a copy of such circular letter, and attach thereto a list of those to whom it has been mailed, as above provided; such copy and list so filed to be certified by the State Treasurer under his seal of office. The State Treasurer shall also keep a copy of such letter, and a list of those to whom it has been sent, on file in his office for the inspection of any person desiring to examine the same.

Article 2421. Bids sent to the State Treasurer shall be sealed up in a strong envelope and marked "Bids for the safe-keeping and payment of the deposits of the State funds"; and the State Treasurer shall indorse thereon the time of the receipt of such bid. Such bill shall state the interest such bank will pay on the average daily balances to the credit of the State Treasury in such bank. Said bids shall be directed to the State Treasurer, and by him opened on the first Monday in February thereafter, in the presence of the State Depository Board and thereupon the Treasurer shall select and designate, with the approval of the State Depository Board, one of such banks or banking



institutions as the depository of the State for each congressional district. The Treasurer may, with the approval of the State Depository Board, reject any and all bids; and in any case, the bank or banking institution offering the highest interest from each congressional district shall be selected, if any, provided that for all purposes in this act "the highest bidder" shall be construed to be "the highest bidder" meeting all the requirements for a depository of State funds.

Article 2423. When said bank or banking institution of any congressional district so designated by the State Treasurer has complied with the conditions of this chapter, it shall be authorized to receive on deposit from the State Treasurer, or under his direction, State funds not exceeding fifty thousand dollars for any one bank; and it shall be the duty of the said State Treasurer to cause the funds of the State to be deposited in said State depositories subject to the conditions and limitations of this chapter.

Article 2424. Before the State Treasurer is authorized to deposit any State funds in any State depository herein provided for, or to cause the same to be so deposited, he shall satisfy himself as to the solvency of said institution; and, in addition thereto, he shall require a personal bond in the amount of one-half of the amount bid for, which bond shall be payable to the Governor and to his successors in office; and said bond shall be conditioned for the safekeeping of said funds deposited and to meet the requirements of this chapter, in such form as the Attorney General shall prescribe; and the same restrictions and requirements as to sureties thereon shall apply as now or may be hereafter required in the bond of the State Treasurer.

Article 2425. The State Treasurer shall also require the deposit as collateral security for such deposit required, United States, Federal Farm Loan Bank (located in Texas), State, county, independent school district, common school district, and road improvement district, or municipal bonds, in an amount equal to one and one-fifth times the sum deposited with and received by each such bank or banking institution, which depository shall not receive on deposit more than fifty thousand dollars at any one time; but before any State, county, independent school district, common school district, road improvement district, or municipal bonds shall be re-

ceived as collateral security in such cases, they must be registered with the Comptroller and approved by the Attorney General of the State of Texas, under the same rules and regulations as are now required for bonds in which the permanent school funds of the State are to be invested; provided, that the State Treasurer may accept such State, Federal Farm Loan Bank (located in Texas), county, independent school district, common school district, road improvement district, or municipal bonds at their reasonable market value, said market value to be determined by the State Treasurer; and provided further, that the State Depository Board shall not accept any such bonds in which the permanent school fund of the State cannot be invested under existing laws.

The bondsmen of the State Treasurer, as such official depository, shall be liable to the bank for any securities deposited as herein provided and for the accounting of all such securities and the return to the said bank or the value thereof in money.

Article 2426. The bonds above mentioned shall be delivered to the State Treasurer and receipted for by him and retained by him in the vaults of the State Treasury of this State, and if, in any case or at any time, such bonds are not satisfactory security to the State Depository Board for the deposits made under this chapter, they may require such additional security to be given as will be satisfactory security to them; and the State Depository Board shall, from time to time, inspect such bonds and see that the same are actually kept in the vaults of the State Treasury; and in the event that any said bank or banking institution selected as a State depository shall fail to pay up such deposits, or any part thereof, on the check or checks of the State Treasurer, he shall have power to forthwith convert such bonds into money, and disburse the same according to law upon the warrants drawn by the Comptroller of Public Accounts upon the funds for which said bonds are security. Any bank making deposit of bonds with the State Treasurer under the provisions of this chapter may cause such bonds to be indorsed or stamped as they may deem proper so as to show that they are deposited as collateral, and are not transferable, except upon the conditions of this chapter.

Article 2427. Any State depository receiving State funds under the provisions of this chapter, shall pay to the

State Treasurer, at the end of each month, interest on the average daily balance for said month, at the rate of interest agreed upon, which shall, in no event, be less than at the rate of three per cent per annum. All interest shall be due at the close of business on the last day of each month, which interest must be paid into the Treasury to the credit of the general revenue not more than five days later, accompanied by a statement showing amount of each daily balance, and any depository failing to comply with this article of this act shall be subject to a ten per cent penalty on the amount due.

Article 2428. The State Treasury is hereby designated and made the official depository for all moneys, funds, rentals, penalties, costs, proceeds of sale of property, fees, fines, forfeitures and public charges of every kind that may be received by any State officer, State board, State commission or by any employee of either of such officers, boards, or commissions by virtue or under color of office.

Article 2431. It shall be the duty of each and every State officer, State board, State commission and all members and employees of either thereof, to deposit daily in the official depository designated in Article 2428 hereof, all moneys, checks, drafts, orders, vouchers, funds, rentals, penalties, costs, proceeds of sale of property, fees, fines, forfeitures and public charges of every kind received or collected by virtue or under color of office, all such funds and moneys in the hands of any such officer, board, commission, or of any member or employee of either thereof, at the time this act becomes effective shall be immediately transferred to and covered into the said official depository; provided, that all checks, drafts, orders and vouchers so deposited shall be credited and cleared at par, and should payment be refused on any such drafts, checks, order or voucher, or should the same prove otherwise worthless, the amount thereof and any costs accruing thereon, shall be charged against the account theretofore credited with the same.

Article 2432. The State Depository Board shall have the right to make such rules and regulations governing the establishment and conduct of State depositories and State funds therein as the public interest may require, not inconsistent with this chapter, which said rules and regulations shall be in writing.

Article 2433. Upon application from the Austin banks the depository board

is hereby authorized to select and designate as depositories as many banks located in Austin as, in their judgment, is necessary, with whom is to be kept on deposit as much of the State's funds as is required to supply the current needs of the Treasury. These banks are to act as depositories under the same rules, regulations and terms as other State depositories in this State, except as otherwise provided in this act.

It is hereby required of each of such depositories as may be designated in Austin to pay to the State monthly on average daily balances on an amount not to exceed fifty thousand dollars (\$50,000) the average rate of interest paid by all other State depositories, provided that each Austin depository may have on deposit at one time any amount of State funds not to exceed its capital stock, and on average daily balances over and above fifty thousand dollars, interest at the rate of 2 per cent per annum is to be paid monthly into the State Treasury. The State Treasurer shall give to each depository ten days notice of his intention to draw on the funds therein before drawing more than one-fifth of the amount said depository is entitled to keep. All depositories shall collect free of charge such checks, drafts, orders and vouchers as may be deposited in the regular course of business, and shall pay all checks, drafts, orders and vouchers legally authorized and duly drawn on the moneys and funds so deposited in such banks.

All depositories shall, on or before the second Monday in each month, make a report in duplicate, filing one thereof with the State Comptroller, and the other with the State Treasurer showing the debits, credits and balances for each day of the previous calendar month, and the said depositories shall return to the Treasurer daily all vouchers or warrants paid or redeemed.

Article 2436. It shall be the duty of the State Treasurer to keep and maintain, as nearly as possible, a fair and equal balance of moneys on hand in each State depository established by this chapter, in proportion to the amount each is entitled to receive, by drawing drafts alternately thereon or by apportioning the drafts so drawn.

A separate account of the funds as deposited under this section shall be carried with each official so depositing, which account shall be known as "A Suspense Account" provided that at the end of each month each official so depositing shall advise the State Treasurer

of the amount to be deposited to the general revenue, or such other fund or funds as is provided by law.

When refunds are made out of the "Suspense Account" they shall be made by drafts drawn upon the Treasury, which draft shall designate which suspense account it is to be charged against, and shall be signed by the official or head of department with whom the account is carried.

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 3. The State Depository Board is hereby authorized and empowered during the period of the present war and for one year thereafter whenever there may be excess funds in the State Treasury for which there is no immediate use to subscribe for such amount of United States Treasury Certificates of Indebtedness as their judgment may dictate, and the interest earned therefrom shall be covered into the Treasury to the credit of the general revenue fund.

Sec. 4. The sum of \$6000, or so much thereof as may be necessary, is hereby appropriated out of the general revenue to carry out the provisions of this act.

Sec. 5. The fact that at times there are more than sufficient State funds in the State Treasury, subject to deposit in State depositories as now provided by law, and to enable the State to secure the benefit of the depository law as amended by this act, and further that the present laws requiring State officials to deposit State funds in the State Treasury are inadequate, creates an emergency and an imperative public necessity requiring that the constitutional rule which requires that bills be read on three several days be suspended, and it is so suspended and that this act take effect and be in force from and after its passage, and it is so enacted.

Signed—Schlesinger, Bass, Nordhaus, Bland, Morris, Johnson, Peyton, Sentell, Sackett, Murrell, Lacey, Lindemann, Crudgington, Veatch, Holaday, Mendell, Davis of Van Zandt, De Bogory, Bertram, McComb, Kempen, Blackmon, Cope, Tillotson.

Pending consideration of the amendment, Mr. Johnson and Mr. Metcalfe occupied the chair temporarily.

(Speaker in the chair.)

Mr. O'Banion moved the previous question on the amendment, and the main question was ordered.

Question then recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—32.

Atlee.	Murphy.
Blackmon.	Murrell.
Bland.	Neill.
Burton of Rusk.	Raiden.
Cope.	Reeves.
Crudgington.	Sackett.
Davis	Sentell.
of Van Zandt.	Seawright.
Holaday.	Smith of Bastrop.
Johnson of Ellis.	Smith of Hopkins.
Kempen.	Sneed.
Lacey.	Tillotson.
Lindemann.	Tilson.
McComb.	Veatch.
McMillin.	Wilson.
Mendell.	Woods.
Metcalfe.	

Nays—75.

Beard.	Meador.
Beason.	Miller of Austin.
Bedell.	Miller of Dallas.
Bell.	Moore.
Bennette.	Morris.
Bertram.	Nordhaus.
Bledsoe.	O'Banion.
Brown.	Parks.
Bryan.	Peyton.
Burton of Tarrant.	Pillow.
Butler.	Poage.
Carlock.	Pope.
Cox of Bee.	Richards.
Davis of Dallas.	Roemer.
Davis of Grimes.	Rogers.
Davis of Harris.	Sallas.
Dodd.	Schlesinger.
Dudley.	Smith of Scurry.
Dunnam.	Spradley.
Fairchild.	Stephens.
Fly.	Stewart.
Ford.	Templeton.
Greenwood.	Terrell.
Haidusek.	Thomas.
Hardey.	Thomason
Harris.	of El Paso.
Henderson.	Thomason
Hill.	of Nacogdoches.
Holland.	Thompson
Hudspeth.	of Hunt.
Johnson of Blanco.	Thompson
Jones.	of Red River.
Laas.	Tinner.
Lackey.	Traylor.
Laney.	Upchurch.
Lange.	Vaughan.
Lanier.	Williams
McCord.	of Brazoria.
McCoy.	Williford.
McDowra.	Yantis.

Present—Not Voting.

Schlosshan.

Taylor.

## Absent.

Bagby.	O'Brien.
Beasley.	Robertson.
Blackburn.	Sholars.
Cates.	Strayhorn.
Cox of Ellis.	Swope.
De Bogory.	Valentine.
Denton.	Wahrmund.
Estes.	Williams
Monday.	of McLennan.

## Absent—Excused.

Baker.	Lowe.
Cadenhead.	McFarland.
Canales.	Osborne.
Clark.	Spencer.
King.	Walker.
Lee.	White.

## Paired.

Mr. Bass (present), who would vote "yea," with Mr. Mathis (absent), who would vote "nay."

Mr. Sackett offered the following amendment to the bill:

Amend S. B. No. 1, Article 2435, page 7, line 18, after the word, "drawn," by adding the following: "The State Depository Board is hereby authorized and empowered whenever there may be excess funds in the State Treasury, for which there is no immediate use, to subscribe for such amount of United States Treasury certificates of indebtedness as their judgment may dictate, and the interest earned thereon shall be carried into the Treasury to the credit of the general revenue fund."

Mr. Thomas offered the following amendment to the bill:

Amend S. B. No. 1, page 7, line 23, by inserting after the words, "United States," the words, "or State."

Mr. Bedell moved the previous question on the pending amendments and passage of the bill to a third reading, and the main question was ordered.

Question first recurring on the amendment by Mr. Sackett, it was adopted.

Question next recurring on the amendment by Mr. Thomas, it was adopted.

Senate bill No. 1 was then passed to a third reading.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 19, 1918.  
Hon. F. O. Fuller, Speaker of the House  
of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has passed

S. B. No. 102, A bill to be entitled "An Act enlarging and establishing the Jarrell Independent School District, Jarrell, Williamson county, Texas, and declaring an emergency."

Respectfully,

J. B. BENNETT,

Assistant Secretary of the Senate.

## BILL ORDERED NOT PRINTED.

On motion of Mr. Veatch, it was ordered that House bill No. 169 be not printed.

## HOUSE BILL NO. 128 ON SECOND READING.

On motion of Mr. Fly, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 128, A bill to be entitled "An Act requiring teachers in the public free schools to conduct school work in the English language exclusively, preventing the adoption of texts for elementary grades not printed in English, defining the grades in which a foreign language may be taught, and fixing penalties for the violation of this act."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

## SENATE BILL NO. 58 ON SECOND READING.

On motion of Mr. Moore, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to a third reading,

S. B. No. 58, A bill to be entitled "An Act granting permission to John T. Elliot to bring suit against the State of Texas in the district court of Anderson county, Texas, for damages for personal injuries received by him while on duty as a bridge carpenter in the employ of the Texas State Railroad; providing that such suit may be filed within two years after this act takes effect; and providing that such cause of action shall not be barred until two years after this act takes effect; and providing for the method of serving process and for procedure governing the trial and determination of such suit, and declaring an emergency."

The Speaker laid the bill before the



House, it was read second time and was passed to a third reading.

### HOUSE BILL NO. 46 ON THIRD READING.

On motion of Mr. Laney, by unanimous consent, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 46, A bill to be entitled "An Act to amend Section 15 of Chapter 5 of the Acts of the First Called Session of the Thirty-fourth Legislature of the State of Texas, which act was entitled 'An Act regulating the business of co-operative savings and contract loan companies,' so that hereafter such companies may invest their funds in mortgages which shall be a first lien on real estate located in any State of the United States of America, and further permitting such companies to invest their funds in Liberty Bonds and other certificates of indebtedness which have or may hereafter be authorized by the United States Congress; and declaring an emergency."

The Speaker laid the bill before the House and it was read third time.

Mr. Laney offered the following amendment to the bill:

Amend the caption to House bill No. 46 by adding after the word "Congress," in line 15, page 1, the following: "And by amending Section 2 of said chapter so that hereafter it shall be the duty of the Commissioner of Insurance and Banking to examine the books of said corporation at least once every twelve months."

The amendment was adopted.

Mr. Laney offered the following amendment to the bill:

Amend House bill No. 46, Section 1, lines 23 and 24, by striking out the words "any State of the United States of America," and inserting in lieu thereof the following: "The State where the contract holder resides when such contract is issued."

The amendment was adopted.

Mr. Laney offered the following amendment to the bill:

Amend the caption of House bill No. 46 by adding after the word "Congress," in line 15, page 1, the following: "And by amending Section 2 of said chapter so that hereafter it shall be the duty of the Commissioner of Insurance and Banking to examine the books of said corporation at least once every twelve months."

The amendment was adopted.

Mr. Laney offered the following amendment to the bill:

Amend the caption of House bill No. 46 by striking out "any State of the United States of America," and inserting in lieu thereof the phrase, "The State where the contract holder resides at time of issuance of such contract."

The amendment was adopted.

Question—Shall the bill be passed?

The Clerk was directed to call the roll.

House bill No. 46 was passed by the following vote:

Yeas—98.

Mr. Speaker.	McCoy.
Atlee.	McDowra.
Bass.	McMillin.
Beard.	Meador.
Beason.	Mendell.
Bedell.	Metcalfe.
Bell.	Miller of Dallas.
Bennette.	Moore.
Bertram.	Morris.
Blackmon.	Murphy.
Bland.	Murrell.
Bledsoe.	Neill.
Brown.	Nordhaus.
Bryan.	O'Banion.
Burton of Rusk.	Parks.
Burton of Tarrant.	Pillow.
Carlock.	Poage.
Cope.	Pope.
Cox of Bee.	Raiden.
Crudgington.	Reeves.
Davis of Dallas.	Richards.
Davis of Grimes.	Roemer.
Denton.	Rogers.
Dodd.	Sackett.
Dudley.	Sentell.
Dunnam.	Schlesinger.
Estes.	Seawright.
Fairchild.	Smith of Bastrop.
Fly.	Smith of Hopkins.
Ford.	Smith of Scurry.
Greenwood.	Spradley.
Haidusek.	Sneed.
Hardey.	Stephens.
Harris.	Stewart.
Henderson.	Taylor.
Hill.	Templeton.
Holland.	Terrell.
Hudspeth.	Thomason
Johnson of Ellis.	of Nacogdoches.
Jones.	Thompson
Kempen.	of Hunt.
Laas.	Thompson
Lacey.	of Red River.
Lackey.	Tillotson.
Lange.	Tilson.
Lanier.	Traylor.
McComb.	Upchurch.
McCord.	Vaughan.

Veatch.                      Wilson.  
Williams                    Woods.  
    of Brazoria.            Yantis.  
Williford.

Nays—1.

Lindemann.

Present—Not Voting.

Laney.

Absent.

Bagby.	O'Brien.
Beasley.	Robertson.
Blackburn.	Sallas.
Cates.	Sholars.
Cox of Ellis.	Strayhorn.
Davis of Harris.	Swope.
Davis	Thomas.
of Van Zandt.	Thomason
De Bogory.	of El Paso.
Holaday.	Tinner.
Johnson of Blanco.	Valentine.
Mathis.	Wahrmund.
Miller of Austin.	Williams
Monday.	of McLennan.

Absent—Excused.

Baker.	McFarland.
Butler.	Osborne.
Cadenhead.	Peyton.
Canales.	Schlosshan.
Clark.	Spencer.
King.	Walker.
Lee.	White.
Lowe.	

#### HOUSE BILL NO. 134 ON SECOND READING.

On motion of Mr. Holland, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 134, A bill to be entitled "An Act to authorize the payment by the State Prison Commission of debt contracted by the Prison Commission prior to January 7, 1915, for which appropriation was made from the general revenues by Chapter 201, Acts of the Thirty-fifth Legislature, Regular Session; providing that the sum of three hundred and sixty-two thousand four hundred and twenty-three and 43-100 dollars paid in discharge of prison system indebtedness from the general revenues for the fiscal year beginning September 1, 1917, be transferred from the special funds of the Prison Commission to the general revenue; providing that the sum of three hundred and eighty-seven thousand seven hundred and eight-

ty-three and 51-100 dollars provided to be paid from the general revenues during the fiscal year beginning September 1, 1918, in discharge of prison system indebtedness be paid from the funds of the prison system at the time and under the conditions specified in the said acts providing for payment of such Prison Commission indebtedness and interest thereon, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### SENATE BILL NO. 22 ON FINAL PASSAGE.

Mr. Johnson of Ellis moved to reconsider the vote by which Senate bill No. 22, providing for the creation of conservation and reclamation districts, was passed.

The motion to reconsider prevailed.

Question—Shall Senate bill No. 22 be passed?

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—95

Mr. Speaker.	Hudspeth.
Atlee.	Johnson of Blanco.
Bass.	Johnson of Ellis.
Beason.	Jones.
Bedell.	Kempen.
Bell.	Laas.
Bennette.	Lacey.
Bertram.	Lackey.
Blackmon.	Laney.
Brown.	Lange.
Bryan.	Lanier.
Burton of Rusk.	Lindemann.
Burton of Tarrant.	McComb.
Carlock.	McCord.
Cope.	McCoy.
Cox of Bee.	McDewra.
Crudgington.	McMillin.
Davis of Dallas.	Meador.
Davis of Grimes.	Mendell.
Davis of Harris.	Metcalfe.
Denton.	Miller of Dallas.
Dodd.	Moore.
Dudley.	Morris.
Estes.	Murphy.
Fairchild.	Murrell.
Fly.	Neill.
Ford.	Nordhaus.
Greenwood.	O'Banion.
Haidusek.	Parks.
Hardey.	Pillow.
Harris.	Poage.
Henderson.	Pope.
Hill.	Raiden.
Holland.	Reeves.

Richards.	Thomason
Roemer.	of El Paso.
Rogers.	Thomason
Sackett.	of Nacogdoches.
Sallas.	Thompson
Schlesinger.	of Red River.
Seawright.	Traylor.
Smith of Bastrop.	Upchurch.
Smith of Hopkins.	Vaughan.
Smith of Scurry.	Veatch.
Spradley.	Williams
Sneed.	of Brazoria.
Stewart.	Williford.
Taylor.	Wilson.
Templeton.	Woods.
Terrell.	Yantis.

Present—Not Voting.

Beard.

Absent.

Bagby.	Robertson.
Beasley.	Sentell.
Blackburn.	Sholars.
Bland.	Stephens.
Bledsoe.	Strayhorn.
Cates.	Swope.
Cox of Ellis.	Thompson
Davis	of Hunt.
of Van Zandt.	Tillotson.
De Bogory.	Tilson.
Dunnam.	Tinner.
Holaday.	Valentine.
Mathis.	Wahrmund.
Miller of Austin.	Williams
Monday.	of McLennan.
O'Brien.	

Absent—Excused.

Baker.	McFarland.
Butler.	Osborne.
Cadenhead.	Peyton.
Canales.	Schlosshan.
Clark.	Spencer.
King.	Thomas.
Lee.	Walker.
Lowe.	White.

#### HOUSE BILL NO. 27 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 27, A bill to be entitled "An Act to amend Articles 475 and 476 of the Penal Code of the State of Texas, prohibiting the carrying of any pistol, dirk, dagger, sling shot, sword cane, or knuckles made of any material or any hard substance, bowie knife, or any other knife manufactured or sold for purposes of offense or defense; prescribing a punishment therefor; making exceptions thereto in favor of certain officers, and declaring an emergency."

The bill was read third time and was passed.

Mr. Mendell moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 131 ON SECOND READING.

On motion of Mr. Schlesinger, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 131, A bill to be entitled "An Act authorizing the acknowledgments of written instruments and the taking of depositions of witnesses in the military or naval service of the United States by officers of the United States authorized under the military laws of the United States to administer oaths, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 99, A bill to be entitled "An Act making an emergency appropriation for the support and maintenance of the State Training School for Juveniles located at Gatesville, Texas, for the current fiscal year ending August 31, 1918, and declaring an emergency."

Respectfully,

J. B. BENNETT,

Assistant Secretary of the Senate.

#### HOUSE BILL NO. 115 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 115, A bill to be entitled "An Act to amend Sections 2 and 8 of Chapter 181, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 6, Acts of the Third Called Session of the Thirty-fifth Legislature, by adding thereto Section 2b, providing for standard 'grades and packs' of other fruits and vegetables; prohibiting common carriers from receiving fruits and vegetables for shipment or transporting the same in violation of the provi-

sions of this act; prescribing penalties for violation of this law, and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—95.

Atlee.	Mendell.
Bass.	Metcalfe.
Beard.	Miller of Dallas.
Beason.	Moore.
Bedell.	Morris.
Bell.	Murphy.
Bennette.	Neill.
Blackmon.	Nordhaus.
Bryan.	O'Banion.
Burton of Rusk.	Parks.
Burton of Tarrant.	Pillow.
Carlock.	Poage.
Cope.	Pope.
Cox of Bee.	Raiden.
Crudgington.	Reeves.
Davis of Dallas.	Richards.
Davis of Grimes.	Roemer.
Davis of Harris.	Rogers.
Davis	Sackett.
of Van Zandt.	Sallas.
De Bogory.	Sentell.
Denton.	Schlesinger.
Dodd.	Seawright.
Dudley.	Smith of Bastrop.
Estes.	Smith of Hopkins.
Fairchild.	Smith of Scurry.
Fly.	Spradley.
Ford.	Sneed.
Greenwood.	Stephens.
Haidusek.	Stewart.
Hardey.	Taylor.
Harris.	Templeton.
Henderson.	Terrell.
Hill.	Thomason
Holland.	of El Paso.
Hudspeth.	Thomason
Johnson of Ellis.	of Nacogdoches.
Jones.	Thompson
Kempen.	of Red River.
Lacey.	Tillotson.
Laney.	Tilson.
Lange.	Traylor.
Lanier.	Upchurch.
Lindemann.	Vaughan.
McComb.	Veatch.
McCord.	Williams
McCoy.	of Brazoria.
McDowra.	Williford.
McMillin.	Wilson.
Meador.	Yantis.

Nays—2.

Bertram. Brown.

Present—Not Voting.

Woods.

Absent.

Bagby.	Monday.
Beasley.	Murrell.
Blackburn.	O'Brien.
Bland.	Robertson.
Bledsoe.	Sholars.
Cates.	Strayhorn.
Cox of Ellis.	Swope.
Dunnam.	Thompson
Holaday.	of Hunt.
Johnson of Blanco.	Tinner.
Laas.	Valentine.
Lackey.	Wahrmund.
Mathis.	Williams
Miller of Austin.	of McLennan.

Absent—Excused.

Baker.	Osborne.
Butler.	Peyton.
Cadenhead.	Schlosshan.
Canales.	Spencer.
Clark.	Thomas.
King.	Walker.
Lee.	White.
McFarland.	

#### HOUSE BILL NO. 161 ON SECOND READING.

On motion of Mr. Holland, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 161, A bill to be entitled "An Act to amend Chapter 32, Article 6196 of the General Laws, passed at the First Called Session of the Thirty-fifth Legislature, 1917, page 49, regulating the management and control of the penitentiary system and regulating the fixing of salaries of penitentiary guards, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Holland offered the following (committee) amendment to the bill:

Article 6196. Salaries and Qualifications of Under Officers and Employes.—The Prison Commission shall, except as provided in this title, fix the salaries of all officers and employes of the prison system upon such a basis as the labor and ability of the officer of employe entitles him to, such salary to be paid monthly at the end of each month. (They shall pay to those employed as guards of the convicts salaries of not less than forty (\$40) dollars nor more than sixty (\$60) dollars per month, and it shall be the duty of the Prison Commission to promulgate, effective not later than July 1, 1918, an equitable schedule of salaries between the said amounts,



based upon the length of service of the guard in the employ of the Prison Commission, his efficiency and ability to perform in a capable manner the work devolving upon such employes of the prison system; and shall furnish such guards with board and lodging free.) No person shall be employed as a guard to guard convicts who is not at least twenty-one years of age, of good moral character and who is not able to read and write, and has not a fair knowledge of the English language; and the Prison Commission may provide such other qualifications as they may deem expedient; provided, that no person shall be employed as a guard who is in any way addicted to the use of alcoholic or intoxicating liquors; and the Prison Commission shall require all officers and employes connected with the prison system to familiarize themselves with and conform to the rules and regulations and laws governing the prison system of this State; provided, the Prison Commission shall require all officers and employes with the prison system of this State to take and subscribe to the oath of office prescribed by the Constitution.

The (committee) amendment was adopted.

House bill No. 161 was passed to engrossment.

#### SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read first time and referred to the appropriate committees as follows:

S. B. No. 99, to Committee on Appropriations.

S. B. No. 102, to Committee on Education.

#### ENDORING CATTLE RAISERS' ASSOCIATION.

Mr. Blackmon offered the following resolution:

Whereas, The Cattle Raisers' Convention is now in annual session at Dallas, Texas; and

Whereas, The cattlemen of our country are doing as much and perhaps more than any class of people to conserve our resources and help win the great world war in which we are now engaged, and as we, as representatives of the people, are now engaged in trying to make Texas the most helpful of all States in winning the war; therefore, be it

Resolved, That we endorse the efforts of the Cattle Raisers' Association and send to them our hearty congratulations

on their patriotism, and their untiring efforts to conserve our resources at this time; and be it further

Resolved, That the Chief Clerk of the House be instructed to send a copy of this resolution to said Cattle Raisers' Convention.

Signed—Blackmon, Metcalfe, Dudley.

The resolution was read second time and was adopted.

#### HOUSE BILL NO. 111 ON SECOND READING.

On motion of Mr. Fly, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 111, A bill to be entitled "An Act to amend Article 3096 of the Revised Civil Statutes of Texas, adopted in 1911, so as to read as follows: 'Article 3096. Ballot, primary, no symbol, etc., on except, etc.; ballot without test not counted, etc.'"

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Mendell, it was ordered that Senate bill No. 84 be not printed.

On motion of Mr. Bryan, it was ordered that Senate bills Nos. 35 and 36 be not printed.

On motion of Mr. Beard, it was ordered that House bill No. 170 be not printed.

#### BILL SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 98, "An Act to amend Article 1197, Title 17, of the Code of Criminal Procedure of the State of Texas, relating to delinquent children, so as to include and further prescribe the procedure in cases of boys and girls; fixing penalties, and declaring an emergency."

#### HOUSE BILLS ON FIRST READING.

The following House bills introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Veatch:

H. B. No. 169, A bill to be entitled

"An Act amending Section 1 of Chapter 42 of the Acts of the Thirty-first Legislature, approved March 16, 1909, entitled 'An Act creating the Venus Independent School District in Johnson county, Texas, etc.'"

Referred to Committee on Education.

By Mr. Beard:

H. B. No. 170, A bill to be entitled "An Act to amend Section 1 of House bill No. 95, Chapter 38, pages 392, 393, 394 and 395, of the published laws enacted by the Thirty-fifth Legislature at its First Called Session, creating the Milano Independent School District, revising the metes and bounds of said district, including certain territory therefrom, and declaring an emergency."

Referred to Committee on Education.

By Mr. Bland:

H. B. No. 171, A bill to be entitled "An Act enlarging and establishing the Jarrell Independent School District, Jarrell, Williamson county, Texas, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Davis of Harris, et al.:

H. B. No. 172, A bill to be entitled "An Act making it the duty of the Board of Water Engineers to induce and assist owners and lessees of lands to conserve and impound storm waters; directing the board to publish and distribute bulletins showing the practicability and value and methods for conserving storm waters; making it the duty of said department requested, to go upon the ground and determine the practicability of conservation projects and constructions necessary and recommend engineers to supervise such constructions; provided the necessary expenses are paid by those to whom the surveys and constructions are made, authorizing the board to employ the necessary engineers, experts and clerical force; making an appropriation to carry out the purposes of this act, and declaring an emergency."

Referred to Committee on Irrigation.

#### ADJOURNMENT.

Mr. O'Banion moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

Mr. Fairchild moved that the House recess to 9:30 o'clock a. m. tomorrow.

Mr. Holland moved that the House recess to 8 o'clock p. m. today.

The motion of Mr. O'Banion prevailed, and the House, accordingly, at 5:15

o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

#### APPENDIX.

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 162, A bill to be entitled "An Act to validate charters or acts of incorporation adopted by cities since the enactment of Chapter 147, page 307, of the Acts of the Regular Session of the Thirty-third Legislature, said cities according to the 1910 United States census having a population of less than five thousand inhabitants, but which had at the time of the adoption of said charter or act of incorporation a population in excess of five thousand, and declaring an emergency,"

And find the same correctly engrossed.  
COX of Bee, Chairman.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 109, A bill to be entitled "An Act providing for reports of receipts and disbursements by candidates and their campaign committees in primary elections; limiting their expenses and specifying purposes for which such disbursements may be made; defining violations of this act, and providing penalties therefor; repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.  
DENTON, Chairman.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 138, A bill to be entitled "An Act providing that those engaged in any business within this State, upon

which the laws require the payment of a tax on gross receipts, must obtain a permit to transact such business from the Secretary of State; providing for the issuance of such permit by the Secretary of State what the same shall contain, and that the same shall be posted in the office of the person or concern to whom issued; providing for an application to be made for such permits, and what such application shall show; the length of time such permits are to run and when those now engaged in business must obtain permits; providing for the suspension of such permits by the Secretary of State on a certificate from the Comptroller showing the holder has failed to pay his gross receipts taxes; stating the conditions, manner and method of suspending such permits and the publication of notices with reference thereto; providing penalties for the transaction of business regulated in this act without having obtained a permit, or transacting business after such permit has been suspended and the method of collecting such penalties; authorizing suit by the Attorney General to collect such penalties, and defining the jurisdiction and venue of such suits; creating offenses for violations of this act and fixing the punishment therefor; prescribing certain duties and conferring certain authority on the Comptroller, Secretary of State and the Attorney General with reference to administering and enforcing this act; making this act cumulative of all other laws on the subject, and declaring an emergency."

H. B. No. 61, A bill to be entitled "An Act to amend Article 1028, Revised Civil Statutes of 1911, dealing with the fixing of rates for public utility corporations; providing the length of time such rates shall be effective and providing that such rates shall be reasonable ones, and declaring an emergency."

H. B. No. 123, A bill to be entitled "An Act to provide for the sale and transfer to the United States of all property owned by the State of Texas situate on the Gulf coast of Texas and on the Mexican border of Texas along the Rio Grande river and used in the State quarantine service, providing for a commission to negotiate the sale of said property to the property authorities of the United States, providing that the expenses of said commission shall be paid out of the expense funds of their respective departments, authorizing the Governor to execute the deeds and convey the prop-

erty to the United States, providing that the positions and employment of officers and employes in charge of and using such property so conveyed shall terminate, providing for the payment into the State Treasury to the general revenue of all money realized from the sale of such properties and filing of statements in the office of the Comptroller of Public Accounts, and declaring an emergency,"

And find the same correctly engrossed.  
COX of Bee, Chairman.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 93, A bill to be entitled "An Act abolishing the office of Commissioner of Pensions, conferring all powers heretofore exercised by the Commissioner of Pensions under any existing laws of this State, upon the Comptroller of Public Accounts and annulling and repealing all appropriations for the Pension Department for the years 1918 and 1919, save and except the salary of the chief clerk of said department, in the sum of \$1500 per annum, which said appropriation shall be available for the use of the Comptroller of Public Accounts in the administration of the pension laws of this State, repealing all laws in conflict therewith, and declaring an emergency,"

H. B. No. 110, A bill to be entitled "An Act to amend Article 3086, Chapter 10, Title 49, Revised Civil Statutes of 1911, so as to provide that no candidate at a primary election for a State or district office shall be declared the nominee of any political party unless he is legally qualified to hold such office, has complied with all the requirements of law, and received a majority of the votes cast for all candidates for such office at such primary election; providing for the holding of a second primary election and fixing the date for the holding of all second primary elections, and declaring an emergency,"

And find the same correctly engrossed.  
COX of Bee, Chairman.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 156, A bill to be entitled

"An Act to amend Chapter 1, Section 119, Revised Statutes of Texas, 1911, by adding thereto Articles 6901a, 6901b, 6901c, 6901d and 6901e; fixing the compensation of county commissioners in counties having a population of 30,000 and over; providing a method of determining the population; providing that if any part of this act be declared void the same shall not affect the remaining portions; validating the acts of any commissioners court in heretofore paying the amount of salary provided by any road law, and declaring an emergency,"

And find the same correctly engrossed.  
COX of Bee, Chairman.

#### REPORT OF COMMITTEE ON CRIMINAL JURISPRUDENCE.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 90, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Thompson, of Red River has been appointed to make a full report thereon.  
MURPHY, Vice-Chairman.

#### REPORT OF COMMITTEE ON PUBLIC HEALTH.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Public Health, to whom was referred Senate bill No. 61, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, and that it be not printed.

McCOMB, Acting Chairman.

#### REPORT OF COMMITTEE ON APPROPRIATIONS.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Appropriations, to whom was referred Senate bill No. 84, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

MENDELL, Vice-Chairman.

#### REPORTS OF COMMITTEE ON EDUCATION.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 169, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, with committee amendments.

THOMASON of Nacogdoches, Chairman.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred Senate bill No. 82, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

THOMASON of Nacogdoches, Chairman.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 170, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

#### REPORT OF COMMITTEE ON PRIVATE CORPORATIONS.

Committee Room,  
Austin, Texas, March 18, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Private Corporations, to whom was referred Senate bill No. 46, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

MATHIS, Chairman.

#### REPORT OF COMMITTEE ON REFORMS IN CIVIL PROCEDURE.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Reforms in Civil Procedure, to whom was referred



House bill No. 168, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, and be not printed.

CARLOCK, Chairman.

# REPORT OF COMMITTEE ON COUNTIES.

Committee Room,  
Austin, Texas, March 19, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Counties, to who was referred Senate bill No. 92, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, and be not printed.

HARDEY, Acting Chairman.

## NINETEENTH DAY.

(Wednesday, March 20, 1918.)

The House met at 9:30 o'clock a. m. pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Atlee.	Dodd.
Bass.	Dudley.
Beard.	Dunnam.
Beasley.	Estes.
Beason.	Fairchild.
Bedell.	Fly.
Bell.	Ford.
Bennette.	Greenwood.
Bertram.	Haidusek.
Blackburn.	Hardey.
Blackmon.	Harris.
Bland.	Henderson.
Bledsoe.	Hill.
Brown.	Holaday.
Bryan.	Holland.
Burton of Rusk.	Johnson of Blanco.
Burton of Tarrant.	Johnson of Ellis.
Butler.	Jones.
Carlock.	Kempen.
Cates.	Laas.
Clark.	Lacey.
Cope.	Lackey.
Cox of Bee.	Laney.
Cox of Ellis.	Lange.
Crudgington.	Lanier.
Davis of Dallas.	Lindemann.
Davis of Grimes.	McComb.
Davis of Harris.	McCord.
Davis	McCoy.
of Van Zandt.	McDowra.
De Bogory.	McMillin.
Denton.	Mathis.

Meador.  
Mendell.  
Metcalf.  
Miller of Austin.  
Miller of Dallas.  
Monday.  
Moore.  
Morris.  
Murphy.  
Murrell.  
Neill.  
Nordhaus.  
O'Banion.  
Parks.  
Peyton.  
Pillow.  
Poage.  
Pope.  
Raiden.  
Reeves.  
Roemer.  
Rogers.  
Sackett.  
Sallas.  
Sentell.  
Schlesinger.  
Schlosshan.  
Seawright.  
Smith of Bastrop.  
Smith of Hopkins.  
Smith of Scurry.  
Spradley.  
Sneed.

Stephens.  
Stewart.  
Swope.  
Taylor.  
Templeton.  
Terrell.  
Thomas.  
Thomason  
of El Paso.  
Thomason  
of Nacogdoches.  
Thompson  
of Hunt.  
Thompson  
of Red River.  
Tillotson.  
Tilson.  
Tinner.  
Traylor.  
Upchurch.  
Vaughan.  
Veatch.  
Wahrmund.  
White.  
Williams  
of Brazoria.  
Williams  
of McLennan.  
Williford.  
Wilson.  
Woods.  
Yantis.

### Absent.

Bagby.	Sholars.
O'Brien.	Strayhorn.
Richards.	Valentine.
Robertson.	

### Absent—Excused.

Baker.	Lowe.
Cadenhead.	McFarland.
Canales.	Osborne.
Hudspeth.	Spencer.
King.	Walker.
Lee.	

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Cadenhead for last Monday, Tuesday, today and indefinitely, on motion of Mr. Smith of Hopkins.

Mr. Osborne for today, on motion of Mr. De Bogory.

Mr. Robertson for the balance of the session, on motion of Mr. Mendell.

The following members were excused on account of sickness:

Mr. Lee for today, on motion of Mr. Swope.